

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**MATTHEW BRIENT,**

**Plaintiff,**

**v.**

**KYLE CALENDINE, *et al.*,**

**Defendants.**

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**Case No. 15-CV-2965**

**JUDGE ALGENON L. MARBLEY**

**Magistrate Judge Deavers**

**ORDER**

Before the Court is United States Magistrate Judge's **Report and Recommendation** (Doc. 3). On November 13, 2015, the Magistrate Judge recommended that the Court **DISMISS** this Plaintiff's claims against Defendants Albany Police Department, Keller Blackburn, Judge Grimm, and John Doe for failure to assert any claim over which this Court has subject matter jurisdiction.

The Report and Recommendation specifically advises the parties that the failure to object to the Report and Recommendation within fourteen days results in "a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." (Doc. 3 at 13.) Plaintiff has not objected. The deadline for objections lapsed on November 27, 2015.

The Court hereby **ADOPTS** the Report and Recommendation based on the independent consideration of the analysis therein. Accordingly, it **DISMISSES** Plaintiff's claims against the above-mentioned Defendants.

**IT IS SO ORDERED.**

**Dated: January 14, 2016**

**s/Algenon L. Marbley**  
**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT COURT**